



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Sr. No.107

TA-26-2023

Date of Decision: 21.10.2024

JASVIR KAUR

....Applicant

Versus

RANJIT SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. D.S. Randhawa, Advocate
for the applicant.

Mr. D.S. Virk, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act i.e. DMC/338/2022, titled '*Ranjit Singh Vs. Jasvir Kaur*', filed by the respondent-husband, pending in the Family Court, Fatehgarh Sahib and she seeks transfer of the same to the Court of competent jurisdiction at Khanna, District Ludhiana.

In pursuance of the notice issued, respondent made appearance through counsel. The counsel for the respondent submits that he does not intend to file reply to the transfer application. Also, he submits that the respondent has no objection, if the transfer application is allowed.

Learned counsel for the parties heard.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis had taken place on 01.11.1992. However, due to the matrimonial discord, they are residing separate. Two children were



born from the said wedlock in the year 1995 and 1997. However, the son had since died and the daughter is residing with the applicant. While making reference to the contents of the application, the counsel submits that the behaviour of the respondent was cruel towards the applicant and the children. Also, it is submitted by the counsel that the petition under Section 125 Cr.P.C., filed by the applicant and the daughter, was allowed by the Family Court (Camp Court), Khanna, vide order dated 13.09.2019 and the execution relating to the same is still pending in the Courts at Khanna.

Also, it is submitted that after filing of the present application, another execution qua maintenance order, has been filed, which is also pending at Khanna. Furthermore, it is submitted that the respondent had filed the petition for seeking reduction of the maintenance amount and the same is also pending in the Courts at Khanna. The applicant is not having any source of earning. In the given circumstances, it is submitted that it is difficult for the applicant to defend the divorce petition, which is pending at Fatehgarh Sahib.

In view of the submissions aforesaid, it is pertinent to mention that the counsel for the respondent has given a statement that the respondent has no objection, if the application is allowed.

Considering the aforesaid fact situation and also keeping in view the settled position of law about convenience of wife to be taken into consideration, in case of transfer applications relating to the matrimonial dispute, the application is accepted and the petition under Section 13 of the Hindu Marriage Act i.e. DMC/338/2022, titled '*Ranjit Singh Vs. Jasvir Kaur*', filed by the respondent-husband, stands transferred from the Family Court, Fatehgarh Sahib, to the Court of competent jurisdiction at Khanna,



District Ludhiana. The requisite record of the aforesaid case be sent by the Family Court, Fatehgarh, to the District and Sessions Judge, Ludhiana.

Learned District and Sessions Judge, Ludhiana, shall assign the said petition to the Family Court (Camp Court) Khanna. Even, the parties are directed to appear before the Family Court (Camp Court) Khanna, within a period of one month from today onwards.

21.10.2024
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No